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Seavey, Ronald Dawley, Dalton Management
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN L. EDMONDS, individually and as a managing general	:	
partner of Fifth and 106th Street Housing Company, Inc., Logan	:	
Plaza Associates, LP, Charles H. Associates a/k/a Charles H. Hill	:	
Associates, LP and as a limited partner of Church Home Associates,	:	Index No.: 08 CIV 5646-HB
LP,	:	
	:	
Plaintiffs,	:	NOTICE OF MOTION
	:	FOR SUMMARY
-against-	:	JUDGMENT PURSUANT
	:	TO FED. R. CIV. P. 56
ROBERT W. SEAVEY, individually and as a general partner of	:	
Fifth and 106th Street Housing Company, Inc., Logan Plaza	:	
Associates, LP, Charles H. Associates a/k/a Charles H. Hill	:	
Associates, LP and as a limited partner of Church Home Associates,	:	
LP, et al.,	:	
	:	
Defendants.	:	
	:	
-----	X	

PLEASE TAKE NOTICE that upon the accompanying Declaration of Robert W. Seavey, dated July 9, 2009, and the exhibits annexed thereto, the declaration of M. Darren Traub, dated July 9, 2009, and the exhibits annexed thereto, the Local Rule 56.1 Statement, and the

accompanying Memorandum of Law, the defendants will move this Court, at a time to be determined by the Court, at the United States District Court located at Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, before the Honorable Harold Baer, Jr., or as soon thereafter as counsel may be heard, for an order pursuant to Federal Rule of Civil Procedure 56 granting summary judgment dismissing the plaintiff's complaint in its entirety, with prejudice, granting summary judgment on the counterclaim filed against plaintiff, and for such other and further relief as the Court finds just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to Local Rule 6.1(b) any and all opposing affidavits and answering memoranda are to be served within ten business days of the date of service of this motion.

Dated: New York, New York
July 9, 2009

HERRICK, FEINSTEIN LLP

/s/

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